REMARKS

Claims 1-16 are pending in this application. Claims 1, 2, 7, 9, 11, and 12 have been amended. New claims 14-16 have been added. The specification has been amended to correct for minor informalities. No new matter has been introduced by this amendment. Applicant wishes to thank the Examiner for his careful examination of this application.

Claims 1-13 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,576,716 to Sadler ("Sadler").

Claims 1-13 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,757,916 to MacDoran et al. ("MacDoran").

Claims 1-13 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,922,073 to Shimada ("Shimada").

Claims 1-13 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,928,306 to France et al. ("France").

In view of the foregoing amendments and the following remarks, Applicant respectfully submits that the applicable rejections have been overcome and that the claims are in condition of allowance.

Claims 1-13 are rejected under 35 U.S.C. §102(e) as being anticipated by Sadler. In the Office Action mailed September 2, 1999, the Examiner states that:

> Sadler teaches the claimed position system method and structure including: receiver (2) configured to receive position signals, processor (2) to process the positioning signals accessing the positioning data through a firewall (column 4), and processing (3 and 6) the positioning data to generate user application data.

(page 2, Office Action 9/2/99).

Applicant respectfully submits that the claims, as amended, are not anticipated by Sadler. Claim 1 includes the limitations of:

> a receiver configured to receive positioning signals;

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a processor configured to process the positioning signals using a real time process and generate positioning data based on the processed positioning signals, <u>the positioning data being stored in a first location specific to the real time process;</u>

user application code executed by the processor, said user application code configured <u>to access the positioning data in a second location specific to the user application code, the second location being a different location from the first location;</u> and

a firewall established between the processor and the user application code, said firewall configured to prevent the user application code from corrupting positioning data <u>in the first location</u> and enables the processor to process the positioning signals in real time without interference by the user application code.

(Claim 1) (emphasis added).

In contrast to claim 1, Sadler does not disclose or suggest positioning data stored in a first location specific to the real time process and user application code configured to access the positioning data in a second location that is a different location from the first location. Furthermore, Sadler does not disclose or suggest a firewall configured to prevent the user application code from corrupting positioning data in the first location and enables the processor to process the positioning signals in real time without interference by the user application code. Instead Sadler relates to locating lost or stolen property using GPS signals. In particular, Sadler discloses that:

The vehicle located equipment includes a radio telephone or cellular telephone, where both the phone and GPS receiver are connected via appropriate I/O interfaces to a computer with memory which is running a monitor program.

(Sadler, column 3, lines 31-36).

Sadler further discloses that:

The monitor program <u>regularly and automatically obtains information on position from the attached SPS module and stores novel position data as the last of a set of recent position data in a</u>

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> memory buffer . . . the monitor program transmits the buffered set
> of recent position data over the data link.

(Sadler, column 3, lines 2-13) (emphasis added).

Accordingly, claim 1 is not anticipated by Sadler for at least the above reasons. Dependent claims 2-6 on claim 1 are not anticipated for at least the same reasons as claim 1. Furthermore, claims 7 and 11 are similar in scope to claim 1, which includes the following limitations of:

> receiving positioning signals;
> processing the positioning signals using a real time process
> to generate positioning data, the positioning data being stored in a
> first location specific to the real time process;
> accessing the positioning data through a firewall using a
> second location that prevents an access from corrupting positioning
> data in the first location and interfering with the processing of the
> positioning signals, the second location being a different location
> than the first location; and
> processing the positioning data from the second location to
> generate user application data.

(claim 7) (emphasis added).

> receiving positioning signals;
> processing the positioning signals using a real time process
> to generate positioning data, the positioning data being stored in a
> first location specific to the real time process;
> accessing the positioning data through a firewall using a
> second location that prevents an access from corrupting positioning
> data in the first location and interfering with the processing of the
> positioning signals, the second location being a different location
> than the first location; and
> processing the positioning data from the second location to
> generate user application data.

(claim 11) (emphasis added).

In contrast to claims 7 and 11, like claim 1, Sadler fails to disclose or suggest the positioning data stored in a first location specific to the real time process. Furthermore, Sadler fails to disclose or suggest accessing the

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positioning data through a firewall using a second location that prevents an access from corrupting positioning data in the first location. In addition, Sadler fails to disclose or suggest processing the positioning data from the second location to generate user application data.

Accordingly, claims 7 and 11 are not anticipated by Sadler for similar reasons as claim 1. Dependent claims 8-10 and 12-13 on claims 7 and 11, respectively, are not anticipated by Sadler for at least the same reasons as claims 7 and 11, respectively.

Claims 1-13 are rejected under 35 U.S.C. §102(e) as being anticipated by MacDoran. In the Office Action mailed September 9, 1999, the Examiner states that:

> MacDoran et al teaches the claimed positioning system and method and structure including: receiver (103) configured to receive positioning signals, processor (103) configured to process the positioning signals accessing the positioning data through a firewall (column 15, lines 48-59), and processing (106 and 108) the positioning data to generate user application data.

(page 3, Office Action 9/2/99).

Applicant respectfully submits that the claims, as amended, are not anticipated by MacDoran.

In contrast to claim 1, MacDoran does not disclose or suggest positioning data stored in a first location specific to the real time process and user application code configured to access the positioning data in a second location that is a different location from the first location. Furthermore, MacDoran does not disclose or suggest a firewall configured to prevent the user application code from corrupting positioning data in the first location and enables the processor to process the positioning signals in real time without interference by the user application code. Instead MacDoran relates to authenticating the

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identity of a remote electronic device user. In particular, MacDoran discloses that:

> The form factor of the [location signature sensor] LSS consists of an antenna/sensor unit to be placed outdoors or at in indoor location with adequate GPS satellite "view"; an a small driver /communications unit that is interfaced to the host server computer through either a specialized internal board or a serial RS 232 data communications port. The introduction of the LSS device into an overall system may be within the gateway network or firewall function or some other portion of the network architecture that will be defined by an individual product application.

(MacDoran, column 15, lines 48-57).

Accordingly, claim 1 is not anticipated by MacDoran for at least the above reasons. Dependent claims 2-6 on claim 1 are not anticipated for at least the same reasons as claim 1.

Furthermore, claims 7 and 11 are not anticipated by MacDoran for similar reasons as claim 1. That is, in contrast to claim 7 and 11, like claim 1, MacDoran fails to disclose or suggest the positioning data stored in a first location specific to the real time process. Also, MacDoran fails to disclose or suggest accessing the positioning data through a firewall using a second location that prevents an access from corrupting positioning data in the first location. In addition, MacDoran fails to disclose or suggest processing the positioning data from the second location to generate user application data.

Accordingly, claims 7 and 11 are not anticipated for the above reasons. Dependent claims 8-10 and 12-13 on claims 7 and 11, respectively, are not anticipated by Sadler for at least the above reasons with respect to claims 7 and 11, respectively.

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Claims 1-13 are rejected under 35 U.S.C. §102(e) as being anticipated by

Shimada. In the Office Action mailed September 2, 1999, the Examiner states

that:

> Shimada teaches the claimed positioning system method and
> structure including: receiver (305) configured to receive positioning
> signals, processor (305) configured to process the positioning
> signals accessing the positioning data through a firewall (column 4,
> lines 45-60), and processing (Figure 3) the positioning data to
> generate user application data.

(page 3, Office Action 9/2/99).

Applicant respectfully submits that the claims, as amended, are not

anticipated by Shimada.

In contrast to claim 1, Shimada does not disclose or suggest positioning

data stored in a first location specific to the real time process and user

application code configured to access the positioning data in a second location

that is a different location from the first location. Furthermore, Shimada does

not disclose or suggest a firewall configured to prevent the user application

code from corrupting positioning data in the first location and enables the

processor to process the positioning signals in real time without interference by

the user application code. Instead Shimada relates to protecting confidential

data subjected to an access. In particular, Shimada states that:

> The other is a flow of data such as confidential information 302
> which cannot be obtained by normal operation , and in which an
> access is normally permitted by including confirmation data e.g. a
> password 303 into the flow. In the present embodiment, a current
> location of the apparatus (location data 304) obtained by GPS 305 is
> utilized as such confirmation data. By virtue of the above, an
> access from a location other than a specified location is not
> permitted.

(Shimada, column 4, lines 52-60).

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Accordingly, claim 1 is not anticipated by Shimada for at least the above reasons. Dependent claims 2-6 on claim 1 are not anticipated for at least the same reasons as claim 1.

Furthermore, claims 7 and 11 are not anticipated by Shimada for similar reasons as claim 1. That is, in contrast to claim 7 and 11, like claim 1, Shimada fails to disclose or suggest the positioning data stored in a first location specific to the real time process. Also, Shimada fails to disclose or suggest accessing the positioning data through a firewall using a second location that prevents an access from corrupting positioning data in the first location. In addition, Shimada fails to disclose or suggest processing the positioning data from the second location to generate user application data.

Accordingly, claims 7 and 11 are not anticipated for the above reasons. Dependent claims 8-10 and 12-13 on claims 7 and 11, respectively, are not anticipated by Shimada for at least the above reasons with respect to claims 7 and 11, respectively.

Claims 1-13 are rejected under 35 U.S.C. §102(e) as being anticipated by France. In the Office Action mailed September 2, 1999, the Examiner states that:

> France et al teaches the claimed positioning system method and structure including: receiver (206) configured to receive positioning signals, processor (260) configured to process the positioning signals accessing the positioning data through a firewall (column 8, lines 9-15), and processing (240 and 250) the positioning data to generate user application data.

(Page 4, Office Action 9/2/99).

Applicant respectfully submits that the claims, as amended, are not anticipated by France.

In contrast to claim 1, France does not disclose or suggest positioning data stored in a first location specific to the real time process and user

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application code configured to access the positioning data in a second location that is a different location from the first location. Furthermore, France does not disclose or suggest a firewall configured to prevent the user application code from corrupting positioning data in the first location and enables the processor to process the positioning signals in real time without interference by the user application code. Instead France relates to locating, transmitting, and applying differential GPS correction data. In particular, France states that:

> Using the graphical interface World Wide Web browser program 463, the user indicates that he wishes to correct some GPS data. When the user makes this selection, the DGPS World Wide Web server 420 may ask the user to identify himself with a user identifier and a password at step 561. All subsequent accesses can then be logged such that a bill may be generated at a later point.

(France, column 8, lines 10-15).

Accordingly, claim 1 is not anticipated by France for at least the above reasons. Dependent claims 2-6 on claim 1 are not anticipated by France for at least the same reasons as claim 1.

Furthermore, claims 7 and 11 are not anticipated by France for similar reasons as claim 1. That is, in contrast to claim 7 and 11, like claim 1, France fails to disclose or suggest the positioning data stored in a first location specific to the real time process. Also, France fails to disclose or suggest accessing the positioning data through a firewall using a second location that prevents an access from corrupting positioning data in the first location. In addition, France fails to disclose or suggest processing the positioning data from the second location to generate user application data.

Accordingly, claims 7 and 11 are not anticipated by France for the above reasons. Dependent claims 8-10 and 12-13 on claims 7 and 11, respectively, are

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not anticipated by Sadler for at least the above reasons with respect to claims 7 and 11, respectively.

New claims 14-16 further define the invention. Support for new claims is found in the specification at page 8, lines 5-25; page 9, lines 1-27; page 10, lines 1-10, and Figures 2, 4a-4g, and 5a. In view of the support, applicants submit new claims 24-35 do not add new matter. Furthermore, new claims 14, 15, and 16, are dependent (indirectly) on claims 1, 7, and 11, respectively, and are not anticipated in view of the above reasons with respect to claims 1, 7, and 11, respectively.
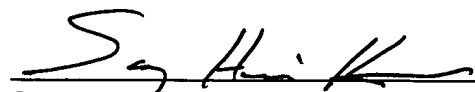
For the foregoing reasons, applicant respectfully submits that the applicable objections and rejections have been overcome and that claims 1-13 are in condition for allowance. If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Mike Kim at (408) 720-8300.

Please charge any shortages and credit any overages to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: Dec. 2, 1999

Sang Hui Michael Kim
Reg. No, 40,450

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
(408) 720-8598

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